

**Notice of Allowability**

Application No.

10/755,712

Examiner

Khoi H. Tran

Applicant(s)

BRICKWOOD ET AL.

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/2006.
2. ☒ The allowed claim(s) is/are 1-28.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

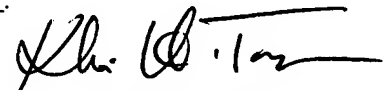
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 11/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



KHOI H. TRAN  
PRIMARY EXAMINER

### EXAMINER'S AMENDMENT

1. The Restriction Requirement filed on 03/23/2006 is hereby withdrawn. All claims within the application have been examined.
2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended to correct antecedent basis issues and to clearly define the claimed invention as follows:

#### IN THE CLAIMS:

Claim 1, line 5, after "therein;" -- a pushing member; -- has been added; line 10 "a" has been replaced by -- said --; line 14, "and which", has been replaced by -- , said compliant sealing means --; line 18, after "suitable", -- external -- has been added; line 25, " a pushing member for reversible insertion" has been replaced by -- said pushing member reversibly inserting --.

Claim 5, line 4, "and which", has been replaced by --, said inner casing --.

Claim 8, line 4, "it", has been replaced by -- said pushing member --.

Claim 17, line 5, after "therein;" -- a pushing member; -- has been added; line 10 "a" has been replaced by -- said --; line 14, "and which", has been replaced by -- , said tubular sealing member --; line 17, after "suitable", -- external -- has been added; line 22, " and a pushing member for reversible insertion" has been replaced by -- said pushing member reversibly inserting --.

Claim 18, line 8, after "reagent means," -- a pushing member; -- has been added; line 13 "a" has been replaced by -- said --; line 17, "and which", has been replaced by -- , said compliant sealing means --; line 21, after "suitable", -- external -- has been added; line 28, " a pushing member for reversible insertion" has been replaced by -- said pushing member reversibly inserting --.

Claim 19, line 4, after "fluid;," -- a pushing member; -- has been added; line 9 "a" has been replaced by -- said --; line 17, after "suitable", -- external -- has been added; line 25, " a pushing member for reversible insertion" has been replaced by -- said pushing member reversibly inserting --.

Claim 28, line 4, after "fluid;," -- a pushing member; -- has been added; line 10 to 12, "wherein the first aperture...therefor and which" has been replaced by -- tubular sealing members close fittingly disposed within each of the first and second apertures, each of the sealing members --; line 15, after "suitable", -- external -- has been added.

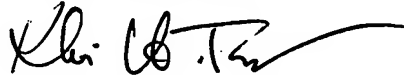
Claims 1-28 are allowable over the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoi H. Tran whose telephone number is (571) 272-6919. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Khoi H Tran  
Primary Examiner  
Art Unit 3651

KHT  
04/10/2007